

Article - State Government

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§20–1005.

(a) (1) After a complaint is filed, the Executive Director of the Commission shall:

- (i) consider the complaint; and
- (ii) refer it to the Commission's staff for prompt investigation and fact-finding.

(2) (i) If the complaint alleges a failure to make a reasonable accommodation under § 20–305 of this title, the investigation shall include an initial determination whether an accommodation is a reasonable accommodation.

(ii) In making the determination for buildings, the Commission may consult with the Department of Housing and Community Development and any other persons that may be useful in determining the cost and feasibility of any structural changes, modifications, or additions or the provision of special equipment.

(3) The Commission's staff shall:

- (i) issue the results of the investigation as written findings;
- (ii) provide a copy of the written findings to the complainant and the respondent; and
- (iii) send a copy of the written findings of an investigation of a real estate broker, associate real estate broker, or real estate salesperson to the State Real Estate Commission.

(b) If there is a finding of probable cause to believe that a discriminatory act has been or is being committed, the Commission's staff immediately shall endeavor to eliminate the discrimination by conference, conciliation, or persuasion.

(c) (1) If an agreement is reached to eliminate the discrimination as a result of the conference, conciliation, or persuasion:

- (i) the agreement shall be reduced to writing and signed by the respondent; and

(ii) the Commission shall enter an order setting forth the terms of the agreement.

(2) If an agreement cannot be reached, the Commission's staff shall:

(i) make a written finding to that effect; and

(ii) provide copies of the written finding to the complainant and the respondent.

(3) The Commission may not enter an order at this stage of the proceedings unless it is based on a written agreement.

(d) (1) If there is a finding of no probable cause to believe that a discriminatory act has been or is being committed, the complainant may file a request for reconsideration of the finding in accordance with the Commission's regulations.

(2) Unless the U.S. Equal Employment Opportunity Commission has jurisdiction over the subject matter of the complaint, a denial of a request for reconsideration of a finding of no probable cause by the Commission is a final order appealable to the circuit court as provided in § 10-222 of this article.

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